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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,417	12/02/2003	Jean-Sebastien Mace	2-1034-092	5585

803 7590 06/27/2005

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DES MOINES, IA 50309-4076

EXAMINER

JONES, DAVID B

ART UNIT PAPER NUMBER

3725

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/726,417

Applicant(s)

Mace

Examiner

David B. Jones

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) none is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 12/0203/ 6) ☐ Other:

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DETAILED ACTION

1. Claims 1-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims as a whole are replete with limitations lacking antecedent basis and positive recitation. Each element of the combination should be positively set forth and correlated one with respect to another to make for a complete and operative device or article. Claim 1 will be treated herein but all the claims should be reviewed and amended into proper claim form. On line 1/2 of claim 1, the limitation, "so as to penetrate one into the other" is unclear and renders the claim indefinite. On line 2 of claim 1, "the longitudinal direction" lacks antecedent basis. On line 3 of claim 1, "transverse hinge pins" is not positively recited. On line 5 of claim 1, "transverse center pin" lacks positive recitation in the claim. On line 6 it is unclear where the "means for receiving" is located with respect to the "articulated parts". On line 7 of claim 1, "two transverse connecting articulation rods" lacks positive recitation. On line 8 of claim 1, "on the one hand" is indefinite in nature and renders the claim indefinite. Further the limitation, "issue laterally" is an unclear and indefinite limitation. Further in claim 1, line 8/9 "set-back portion" as a limitation is unclear and its location is unclear. Further on line 9 of claim 1, "on the other hand" is an unclear and indefinite limitation. Again on line 10, the limitation, "issue laterally" is an indefinite and unclear limitation. Further on line 10 of claim 1, "two projection portions" lacks structural location within the combination. On line 11 of claim 1, "said rods" and "the other of

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these rods", lacks antecedent basis. On line 12 of claim 1, "locked angularly" is not understood and is unclear. Further on line 12 of claim 1, "two lateral faces" lacks structural correlation; where are such structure located with respect to the set-back portion.

2. Claims 1-28 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

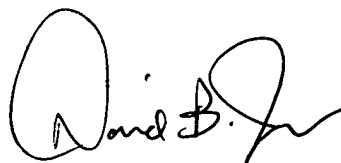
3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

4. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to David B. Jones whose telephone number is (571) 272-4518.

Any inquiry of general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-3700.

In the event that the Applicant (s) wishes to communicate via Fax number for Group 3700 is (703) 872-9306.

wahp

A handwritten signature in black ink, appearing to read "David B. Jones", with a stylized, flowing script.

DAVID B. JONES
PRIMARY PATENT EXAMINER
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